

MINUTES OF THE CITIZENS' CHARTER REVIEW COMMISSION
JULY 20, 2011

STATE OF TEXAS §
 §
COUNTY OF BRAZOS §

Present:

Brian Bochner
Terry Childers, arrived after roll call
Chuck Ellison
Patrick Gendron
Paul Greer
Gary Halter, absent
Tony Jones, absent
Lynn McIlhaney
Buck Prewitt

City Staff:

Carla Robinson, City Attorney
Sherry Mashburn, City Secretary

1. Call to Order and Announce a Quorum is Present

With a quorum present, the Citizens' Charter Review Commission was called to order by Chair Lynn McIlhaney at 4:03 p.m. on Wednesday, July 20, 2011 in the City Council Chambers of the City of College Station City Hall, 1101 Texas Avenue, College Station, Texas 77842.

2. Hear Visitors

There were no citizen comments.

3. Presentation, discussion and possible action on minutes for July 6, 2011 Regular Meeting.

MOTION: Upon a motion made by Commissioner Ellison and a second by Commissioner Prewitt, the Commission voted seven (7) for and none (0) opposed, to approve the July 6, 2011 Regular Meeting minutes. The motion carried unanimously.

4. Presentation, discussion and possible action on Article 3, The City Council, within the City Charter to address issues including, but not limited to, length of terms, term limits, and residency place systems.

City Secretary Sherry Mashburn reported that Senate Bill 100 has been signed into law by Governor Perry and is effective September 1, 2011. This bill was enacted to assure compliance with the Military and Overseas Voter Empowerment Act passed by Congress in 2009 to make the voting process easier and faster for military and overseas voters. This legislation moves the primary runoff election date to the fourth Tuesday in May of even numbered years. This will affect the City's May uniform election date in those even numbered years, which will fall between the March primary and the May primary runoff date. Early voting for the primary runoff begins two days after the May uniform election date. Senate Bill 100 provides that a county elections official is not required to enter into a contract to furnish election services for an election held on the second Saturday in May in an even-numbered year. According to the Brazos County Clerk, due to overlapping election schedules as provided in Senate Bill 100, there is not enough time, equipment, or personnel for the County to accommodate us.

College Station basically has three options:

1. Look elsewhere for electronic voting machines to use in May elections;
2. Move City elections to November; or
3. Cities with terms consisting of an even number of years (two or four) may be adjusted so that all council/mayoral elections are held in May of odd-numbered years.

Ms. Mashburn opined that the option that will be the least disruptive to the political process and easiest to implement, will be to stay with three-year staggered terms and to move our election date to the November uniform election date. Councilmembers would holdover six months with this option. Other options the Council looked at were two-year terms or four-year terms. Both of these options would require a charter amendment election. Charts were presented showing the amount of time each Councilmember would holdover in each scenario.

The general consensus of the Commission was that, although three year length of terms are preferable to four year terms, keeping the election in May is more beneficial. Moving the election to November would result in City elections being lost in the fray of several candidates and issues involved in the county, state and federal elections. The partisan nature of the other November races could influence non-partisan city elections. Also, November elections could result in city races being placed last on the ballot in even-numbered years. Ms. Mashburn confirmed that the only available dates for separate city elections without the City purchasing/storing/maintaining voting machines would be in May of odd numbered years. Four year staggered terms provide the additional benefit of allowing the better functioning of city government uninterrupted by an election every year. Two year term lengths were deemed too short a time period, and two-year terms in May would have to be unstaggered, resulting in all seats up for election every two years.

MOTION: Upon a motion made by Commissioner Bochner and a second by Commissioner Childers, the Commission voted six (6) for and one (1) opposed, with Commissioner Prewitt voting against, to recommend a charter amendment election in November 2011, changing terms to four-year staggered terms for elections in May of odd-numbered years, with a limit of two terms. The motion carried.

5. Presentation, discussion and possible action on Article 10, Initiative, Referendum and Recall, within the City Charter.

6. Presentation, discussion and possible action regarding the placement of items on the agenda.

7. Presentation, discussion and possible action on Article 4, The City Manager, within the City Charter.

8. Presentation, discussion and possible action on August meeting dates, when the charter election may occur and the timeline necessary.

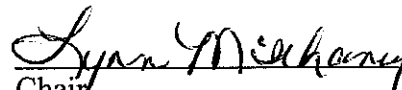
9. Presentation, discussion and possible action on the attached Plan of Work, any items on the Plan of work, and possible criteria to be used in order to add items to the Plan of Work.

10. Discussion and possible action on future agenda items.

Items 5 through 10 were postponed.

11. Adjournment

MOTION: Upon a motion made by Commissioner Childers and a second by Commissioner Ellison, the Commission voted seven (7) for and none (0) opposed, to adjourn the Regular Meeting of the Citizens Charter Review Advisory Commission at 5:49 p.m. on Wednesday, July 20, 2011. The motion carried unanimously.


Chair

ATTEST:


City Secretary